

EXHIBIT 3

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

**SHARON G. WINGATE,
EXECUTOR OF THE ESTATE OF
DOUGLAS GRAY WINGATE,
DECEASED,**

Plaintiff,

v.

INSIGHT HEALTH CORP., et al.,

Defendants.

Case No: CL12-2547

ORDER

Upon motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all as more particularly set forth in the Court's Letter Opinion of October 31, 2013, the contents of which are incorporated herein, the Court makes the following rulings:

1. Defendant Insight Health Corporation ("IHC")'s demurrers to all Plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by Defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C. (collectively the "IGPM Defendants") to all Plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
3. IHC's and the IGPM Defendants' demurrers to Plaintiff's Fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and Plaintiff is granted leave to amend her complaint within 21 days of entry of this Order;
4. IHC's motions for extension of time to join or bring a third-party complaint against a-

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~~non-party~~ are DENIED;

5. IHC's Special Pleas are DENIED;

6. IHC's Motion to amend its responses to requests for admissions related to health care provider status as defined under Va. Code §8.01-581.1 is DENIED;

7. Correspondingly, the Plaintiff's Motion for Partial Summary Judgment against IHC seeking a declaration that, for purposes of this case, IHC is not a "health care provider" as defined by Va. Code § 8.01-581.1, is GRANTED; and, accordingly, IHC is not entitled to the provisions of Chapter 21.1 (Medical Malpractice) of Title 8.01 of the Code of Virginia, including the limitation on damages set forth in Va. Code § 8.01-581.15.

8. For the purposes of the rulings set forth in the Court's Letter Opinion, to the extent that IGPM's Special Pleas were submitted on the pleadings, such Special Pleas are DENIED, without prejudice to IGPM bringing those Special Pleas by evidentiary hearing.

9. IHC must file an answer to the Plaintiff's Complaint within 21 days of entry of this Order.

The Clerk is requested to certify copies of this Order to all counsel of record.

Entered this 13th day of November 2013.



Honorable Charles N. Dorsey

A COPY TESTE BRENDA S. HAMILTON, CLERK
By Brenda S. Hamilton Deputy Clerk

Seen and Agreed, except as to the Court's ruling as to Plaintiff's Fraud Count:



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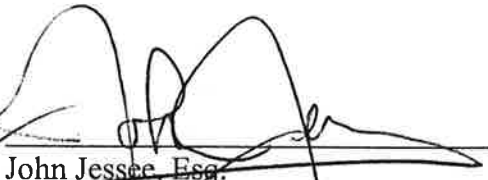
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CND